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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. 4-10-70784-MAG
14 Plaintiff,) STIPULATION AND [PROPOSED]
15 v.) ORDER TO CONTINUE STATUS
16 JANE DOE, a/k/a "NAVCHAA SUREN,") CONFERENCE AND WAIVER OF
17 Defendant.) TIMING FOR PRELIMINARY HEARING
18) AND EXCLUDING TIME UNDER THE
19) SPEEDY TRIAL ACT

20 IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its
21 attorney, Joshua Hill, and the defendant through her attorney, Angela Hansen, that the status
22 hearing presently set for September 30, 2010, be continued to October 13, 2010 at 10:00 a.m.
23 Defendant is awaiting discovery from the United States Attorney's Office in the Western District
24 of New York. Defendant is investigating the immigration consequences of this matter.
25 Moreover, defendant is attempting to negotiate a resolution of the above-referenced matter with
26 the United States Attorney's Office in the Western District of New York. The parties agree that
27 the delay is not attributable to lack of diligent preparation on the part of the attorney for the
28 government or defense counsel. For these reasons, the parties request that time under the Speedy
Trial Act be excluded based on the parties' need for reasonable time necessary for effective

[PROPOSED] ORDER TO EXCLUDE TIME

No. 4-10-70784-MAG

1 preparation, taking into account the exercise of due diligence. The defendant waives the timing
2 of a preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure. The parties
3 agree that the waiver covers all time between the date of this stipulation and October 13, 2010.

4 IT IS SO STIPULATED:

5 Dated: September 27, 2010

6

7 /S/
8 ANGELA HANSEN
9 Attorney for Defendant

10 Dated: September 27, 2010

11

12 /S/
13 JOSHUA HILL
14 Assistant United States Attorney

15 **ORDER**

16 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this
17 matter now scheduled for September 30, 2010 is hereby rescheduled for October 13, 2010 at
18 10:00 a.m. Based upon the representation of counsel and for good cause shown, the Court also
19 finds that failing to exclude the time between September 30, 2010 and October 13, 2010 would
20 unreasonably deny the government and the defense the reasonable time necessary for effective
21 preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).
22 The Court further finds that the ends of justice served by excluding the time between September
23 30, 2010 and October 13, 2010 from computation under the Speedy Trial Act outweigh the best
24 interests of the public and the defendant in a speedy trial. Therefore, it is hereby ordered that the
25 time between September 30, 2010 and October 13, 2010 shall be excluded from computation
26 under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). It is also hereby ordered
27 that the calculation of the timing of a preliminary hearing shall exclude the time between
28 September 30, 2010 and October 13, 2010.

29 DATED: September 30, 2010

30 
31 LAUREL BEELER
32 United States District Court Judge